

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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RICHARD LEE BENNETT,

Plaintiff,

v.

5:14-CV-0537

CAROLYN W. COLVIN,  
Acting Commissioner of  
Social Security,

Defendant.

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THOMAS J. McAVOY,  
Senior United States District Judge

**DECISION & ORDER**

This matter was referred to the Hon. Thérèse Wiley Dancks, United States Magistrate Judge, for a Report and Recommendation pursuant to 28 U.S.C. § 636(b) and Rule 72.3(d) of the Local Rules of the Northern District of New York. In a Report and Recommendation dated July 3, 2015, Magistrate Judge Dancks recommended that the decision of the Commissioner be affirmed, and the plaintiff's complaint be dismissed. [Dkt. # 14]. No objections to the Report and Recommendation have been lodged and the time for filing objections has expired.

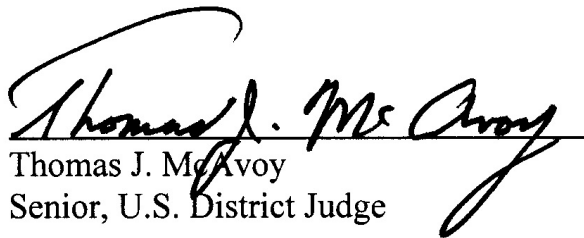
**CONCLUSION**

After examining the record, this Court has determined that the Report and Recommendation is not subject to attack for plain error or manifest injustice. Therefore, the Court **ADOPTS** the Report and Recommendation [dkt. # 14] for the reasons stated

therein. The decision of the Commissioner is **AFFIRMED**, and the plaintiff's complaint is **DISMISSED**.

**IT IS SO ORDERED.**

**Dated: August 10, 2015**

  
Thomas J. McAvoy  
Senior, U.S. District Judge